

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.213 of 2025

In
Civil Writ Jurisdiction Case No.1669 of 2025

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Chandan Kumar @ Chandan Sharma Son of Mahendra Sharma, Resident of
Village-Mogalapur, Police Station-Sonbhadra, District-Arwal.

... .. Appellant/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Co-operative Societies Department, Government of Bihar, Patna.
2. The Additional Chief Secretary, Co-operative Societies Department, Government of Bihar, Patna.
3. The District Magistrate cum District Election Officer, Arwal.
4. The District Co-operative Officer, Arwal cum Deputy District Election Officer, Arwal.
5. The Election Officer-cum-Block Development Officer, Sonbhadra Banshi Suryapur, District-Arwal.
6. Sonbhadra PACS, Block-Sonbhadra Banshi Suryapur, District-Arwal through its Manager.
7. The Bihar State Election Authority through the Chief Election Officer, Harding Road, Patna, Bihar.
8. Pavan Kumar, son of Radheshyam Sharma @ Bhola Sharma, Resident of Village-Sonbhadra, Police Station-Sonbhadra, District-Arwal, PIN Code-804419.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Sanjay Kumar, Advocate
For the Respondent/s : Mr. Sanjay Kumar Ghosarvey AC to AAG-3

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 23-02-2026

The Letters Patent Appeal has been filed by the
appellant-Chandan Kumar @ Chandan Sharma challenging the
order dated 30.01.2025 passed by the learned Single Judge in



C.W.J.C No. 1669 of 2025.

2.The writ petition was filed with the following relief(s):-

“That the petitioner prays for issuance of an appropriate writ(s), order(s), direction(s) for setting aside the election dated 29.11.2024 and declaration of result dated 30.11.2024 which contained in memo no. 1495 by which the respondent no. 8 has been declared winner as Chairman of the Sonbhadra PACS. However, the respondent no. 8 is neither member nor voter of the Sonbhadra PACS and in this regard there is a reasoned order dated 21.11.2024 passed by the respondent no. 5 but due to connivance with the respondent no. 5 his nomination paper has been accepted and he has contested the election.

The petitioner further prays for declare him as a winning candidate of the Sonbhadra PACS on the ground that he is the second man in the said election next to the respondent no. 8.

The petitioner further prays to take appropriate action against the Block Development Officer - cum Election Officer, Taraiya namely Mr. Prashant Kumar for not performing his duty and malafidely favouring the respondent no. 8 in accepting the nomination paper improperly.

The petitioner further prays that the present case may be considered / entertained in exceptional circumstances and alternative remedy may be bypassed and in the light of Judgment dated 19.05.2010 passed in LPA No. 1557 of 2009 (N.S. Madhavan Vs. Shyam Deo Prasad) reported in 2010 (3) PLJR 578.”

3. The learned Single Judge has been pleased to hold, in the operative part of the order, that since the election process has already been concluded with the declaration of the result, the petitioner must seek the appropriate remedy by filing an election petition, and accordingly disposed of the writ petition.



4.In view of the judgment of the learned Single Judge we find no perversity or illegality in the impugned order and are not inclined to interfere with the same.

5.Accordingly, the Letters Patent Appeal stands dismissed.

6.Pending I.A., if any, stands disposed of.

(Sangam Kumar Sahoo, CJ)

(Harish Kumar, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
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